

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

FILED
03 NOV 13 AM 10:31
U.S. DISTRICT COURT
N.D. OF ALABAMA

NORMAN DIXON,

Plaintiff,

vs.

SAFELITE GLASS CORPORATION,

Defendant.

Civil Action Number
91-C-1750-S

ENTERED
NOV 13 2003

**FINDINGS OF FACT AND CONCLUSIONS OF LAW
ON PENDING MOTIONS**

The Court makes the following findings and conclusions on the parties' Motion to Alter or Amend the Judgment and Plaintiff's Motion for Attorney's Fees and Expenses.

1. FINDINGS OF FACT

1. Plaintiff is entitled to \$ 157,210.61 as backpay and prejudgment interest.
2. Plaintiff's counsel have reasonably expended the following hours in this case:

| | |
|------------------------|--------|
| Richard J. Ebbinghouse | 628.19 |
| Robert L. Wiggins, Jr. | 16.88 |
| Ann Wiggins | 4.70 |
| Naomi H. Archer | 6.50 |
| Wilbur Silberman | 2.30 |

3. Reasonable hourly rates for Plaintiff's counsel are as follows:

| | |
|------------------------|--------|
| Richard J. Ebbinghouse | \$ 375 |
| Robert L. Wiggins, Jr. | 450 |
| Ann Wiggins | 300 |
| Naomi H. Archer | 250 |
| Wilbur Silberman | 250 |

4. Plaintiff's counsel have reasonably incurred out of pocket expenses of \$ 6,402.14 in the prosecution of this case.

8

5. Plaintiff is not entitled to an enhancement based on the contumacious conduct of its managing agent.

II. CONCLUSIONS OF LAW

1. Plaintiff is entitled to a judgment against the Defendant in the amount of \$ 157,210.61 as backpay and prejudgment interest.

2. Plaintiff's counsel are entitled to attorneys' fees and expenses in the amount of \$ 253,179.39.

3. In all other respects, the parties' Motions to Alter or Amend the Judgment are due to be denied.

Done this 12th day of November, 2003.



Chief United States District Judge
U.W. Clemon